

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LYNN BREZINSKEY,

Plaintiff,

vs

Case No: 05-73612
Honorable Victoria A. Roberts

MGM-MIRAGE, INC.

Defendant.

ORDER

The Defendant filed a Motion to Dismiss for Improper Venue (Doc. # 3). On Friday, October 21, 2005, the Court held a telephone conference on the motion. Attending were Michael Kavanaugh and Mark Varna for the Plaintiff and Jami Leach for the Defendant. Based on the conference held, the parties stipulate that the proper name of the Defendant is: THE MIRAGE CASINO-HOTEL, INC., a Nevada Corporation. The caption of the case should be changed accordingly.

Further, The Court DENIES the Defendant's Motion to Dismiss. Over the Defendant's objection, the Court exercises the discretion it has, in the interest of justice, to transfer venue to the district in which the case could have been brought. 28 U.S.C. §1406(a); *Goldlawr, Inc. v Heiman*, 369 U.S. 463, 82 S.Ct. 913; and *Taylor v Love*, 415 F.2d 1118.

Accordingly, venue is transferred to:

United States District Court, District of Nevada
333 Las Vegas Blvd. South
Las Vegas, NV 89101

IT IS SO ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: October 24, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 24, 2005.

s/Linda Vertriest

Deputy Clerk